

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA ex rel.)	
RONALD KLINER,)	
)	
Petitioner,)	
)	
v.)	No. 08-3134
)	
TERRY MCCANN, Warden,)	The Honorable
)	John W. Darrah,
Respondent.)	Judge Presiding.

MOTION FOR EXTENSION OF TIME

Respondent, TERRY MCCANN, Warden of Stateville Correctional Center, through his attorney, LISA MADIGAN, Attorney General of Illinois, hereby moves this Honorable Court for a thirty (30) day extension of time to answer or otherwise plead to the above-captioned petition for writ of habeas corpus, from July 24, 2008, to and including August 23, 2008. An affidavit supporting this motion is attached.

July 23, 2008

Respectfully submitted,

LISA MADIGAN
Attorney General of Illinois

By: s/ Garson Fischer
GARSON FISCHER, Bar # 6286165
Assistant Attorney General
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State of Illinois)
) SS.
County of Cook)

A F F I D A V I T

GARSON FISCHER, being first duly sworn upon oath, deposes and states as follows:

1. That I am the Assistant Illinois Attorney General assigned to handle this matter.
2. That petitioner filed the instant habeas petition on May 30, 2008.
3. That respondent, Terry McCann, was ordered to respond to the instant federal habeas corpus petition on or before June 24, 2008, by this Court's order of June 3, 2008.
- 4 That affiant was assigned to this case on June 13, 2008.
- 5 That respondent's first motion for an extension of time to file a response was granted by this Court's order of June 24, 2008. That respondent's response is now due on or before July 24, 2008.
6. That despite due diligence, your affiant will be unable to file a response on behalf of respondent by July 24, 2008.
7. That this is respondent's second request for an extension of time to answer or otherwise plead to the instant petition for writ of habeas corpus.
8. That your affiant also has primary responsibility for the following matters:

- *People v. Ross*, 91 CR 22976, Circuit Court of Cook County;

- *People v. Grant*, 96 CF 234, Circuit Court of Kankakee County;
- *Garrett v. McCann*, 08 C 2544, United States District Court for the Northern District of Illinois;
- *Shoultz v. McCann*, 08 C 3109, United States District Court for the Central District of Illinois; and
- *Wahiid v. McCann*, 08 C 637, United States District Court for the Northern District of Illinois.

9. That this motion is not for purposes of delay, but is being made solely to ensure that respondent's interests are adequately protected.

10. That respondent respectfully request that this Honorable Court grant his thirty (30) day motion for an extension of time to and including August 23, 2008, within which to file his answer or otherwise plead to the instant petition for writ of habeas corpus.

FURTHER AFFIANT SAYETH NOT.

/s/ Garson Fischer

GARSON FISCHER

CERTIFICATE OF SERVICE

I hereby certify that on July 23, 2008, I electronically filed respondent's **Motion for an Extension of Time** with the Clerk of the United States District Court for the Northern District of Illinois, Eastern Division, using the CM/ECF system, which will send electronic notice to the following registered party, counsel for petitioner:

Jonathan I. Loevy
The Exoneration Project
6020 South University Avenue
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